

REMARKS

By this Amendment, Applicant cancels claim 1 without prejudice or disclaimer of the subject matter thereof, renumbers claims 7-10 as claims 8-11, and amends renumbered claim 8 for clarity. As a result, claims 8-11 are pending in this application.

In the Office Action mailed March 10, 2004, the Examiner objected to claims 1 and 7 due to informalities. Applicant has canceled claim 1 without prejudice or disclaimer and amended renumbered claim 8 to correct the spelling of "amount" and to provide proper antecedent basis. Accordingly, the Examiner should withdraw the objections.

The Examiner objected to claim 1 as being a substantial duplicate of claim 7 (now renumbered claim 8). Applicant agrees that claim 1 is in fact a duplicate of claim 7 and thus have canceled claim 1 without prejudice or disclaimer. Accordingly, the Examiner should withdraw the objection.

The Examiner noted that the original application included claims 1-7, and accordingly, the new claims submitted in a Preliminary Amendment filed concurrently with the present application must begin with claim 8. Applicant has renumbered claims 7-10 as claims 8-11.

The Examiner rejected claims 1 and 7-10 (now claims 8-11) under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1-3 of U.S. Patent No. 6,332,132. Applicant files concurrently herewith a Terminal Disclaimer disclaiming the term of any patent issuing from the present application extending beyond the term of U.S. Patent No. 6,332,132. Accordingly, the Examiner should withdraw the reject under obviousness-type double patenting.

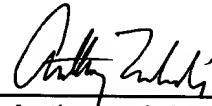
In view of the foregoing remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 27, 2004

By: 
Anthony J. Lombardi
Reg. No. 53,232